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PTO/SB/21 (Rev. 00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/627,531
	Filing Date	July 28, 2000
	First Named Inventor	Berry et al.
	Group Art Unit	1615
	Examiner Name	B. Fubara
Attorney Docket Number		3139-6169.1US (AR 2014 US C1)

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ENCLOSURES (check all that apply)		
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<input checked="" type="checkbox"/> Duplicate copy of this transmittal sheet in the event that additional filing fees are required under 37 C.F.R. § 1.16	<input checked="" type="checkbox"/> Supplemental Information Disclosure Statement; PTO/SB/08A (08-00); copy of cited references and Check No. 5254 in the amount of \$180.00	<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> Preliminary Amendment	<input type="checkbox"/> Associate Power of Attorney	<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> Response to Restriction Requirement/Election of Species Requirement dated	<input checked="" type="checkbox"/> Petition for Extension of Time and Check No. 5253 in the amount of \$110.00	
<input checked="" type="checkbox"/> Amendment in response to office action dated July 2, 2003 with attached Appendices A and B	<input type="checkbox"/> Petition	
<input type="checkbox"/> Amendment under 37 C.F.R. § 1.116 in response to final office action dated	<input type="checkbox"/> Fee Transmittal Form	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Additional claims fee - Check No. in the amount of \$	<input type="checkbox"/> Certified Copy of Priority Document(s)	<b>Power of Attorney, Revocation of Prior Power of Attorney and Request to Change Correspondence Address with Statement Pursuant to 37 CFR 3.73</b>
<input type="checkbox"/> Letter to Chief Draftsman and copy of FIGS. with changes made in red	<input type="checkbox"/> Assignment Papers (for an Application)	
<input type="checkbox"/> Transmittal of Formal Drawings	Remarks	
<input type="checkbox"/> Formal Drawings ( sheets)	<b>The Commissioner is authorized to charge any additional fees required but not submitted with any document or request requiring fee payment under 37 C.F.R. §§ 1.16 and 1.17 to Deposit Account 20-1469 during pendency of this application.</b>	

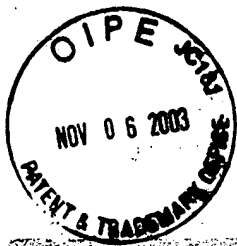
**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	Edgar R. Cataxinos	Registration No. 39,931
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Date	November 3, 2003	

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Typed or printed name	Doreen Neumann		
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Box Patent Application  
Director of the USPTO  
Washington, D. C. 20231

ARC No. 201421  
Date Mailed July 28, 2000

Applicant(s) Berry et al.

Serial No. 09/627531

Filing Date 07/28/00

Examiner Fubara, B.M.

Group Art Unit 3722

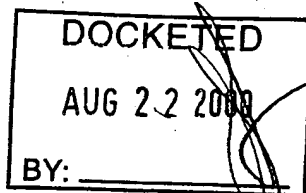
Documents received in this office

- Continuation-in-Part Patent Application - 35 pp
- Transmittal Letter - 3 p.
- ✓ Certificate of Mailing by Express Mail Label EL497409114US - 1 p
- ✓ Declaration and Power of Attorney, unsigned - 4 pp
- ✓ Assignment, unsigned - 1 p.
- ✓ Acknowledgement Postcard
- ✓ Drawings - 8 sheets
- ✓ IDS - 2 pp. (Information Disclosure Statement)

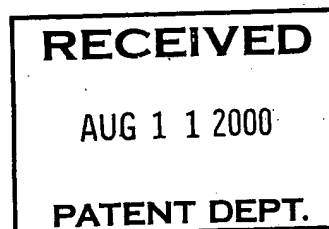


Attorney PAC/KMG

Director of the USPTO



DKT: APP# 09/627531  
DT: 7/28/00





IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

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In re Application of:

Berry et al.

Serial No.: 09/627,531

Filed: July 28, 2000

For: STABLE NON-AQUEOUS SINGLE  
PHASE VISCOUS VEHICLES AND  
FORMULATIONS UTILIZING SUCH  
VEHICLES

Confirmation No.: 3299

Examiner: B. Fubara

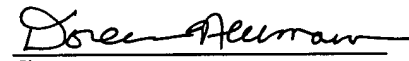
Group Art Unit: 1615

Attorney Docket No.: ARC 2914 US C1  
(3139-6169.1US)

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November 3, 2003  
Date

  
Signature

Doreen Neumann  
Name (Type/Print)

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In compliance with the duty to disclose information material to patentability pursuant to 37 C.F.R. § 1.56, it is respectfully requested that this Supplemental Information Disclosure Statement be entered and the documents listed on attached Form PTO-1449 or PTO/SB/08 be considered by the Examiner and made of record. Copies of the listed documents are enclosed pursuant to 37 C.F.R. § 1.98(a).

In accordance with 37 C.F.R. § 1.97(g) and (h), filing of this Supplemental Information Disclosure Statement is not to be construed as a representation that a search has been made or an

admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b). Further, no representation is made by Applicants herein that no other possible material information as defined in 37 C.F.R. § 1.56 (b) exists.

U.S. Patent Documents

<u>U.S. Patent No.</u>	<u>Publication Date</u>	<u>Patentee</u>
US - 5,034,229	07/23/1991	Magruder et al.
US - 5,057,318	10/15/1991	Magruder et al.
US - 5,110,596	05/05/1992	Magruder et al.
US - 5,782,396	07/21/1998	Mastri et al.

Other Documents

U.S. Patent Application Serial No. 08/595,761, entitled "Sustained Delivery of an Active Agent Using an Implantable System."

Applicants offer to supply any explanation or discussion of the documents which the Examiner feels is necessary or desirable and which is requested.

This Supplemental Information Disclosure Statement is filed after the mailing date of the first Office Action on the merits.

Serial No. 09/627,531

The fee pursuant to 37 C.F.R. § 1.17(p) is enclosed.

Respectfully submitted,



Edgar R. Cataxin  
Registration No. 39,931  
Attorney for Applicants  
TRASKBRITT  
P.O. Box 2550  
Salt Lake City, Utah 84110-2550  
Telephone: 801-532-1922

Date: November 3, 2003

ERC/dlm:dn

Enclosures: Form PTO-1449 or PTO/SB/08

Copy of documents cited

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Substitute for form 449A/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet

1

of

2

**Complete if Known**

Application Number	09/627,531
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Filing Date	July 28, 2000
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First Named Inventor	Berry et al.
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Group Art Unit	1615
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Examiner Name	B. Fubara
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Attorney Docket Number	3139-6169.1US (ARC 2914 US C1)
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## U.S. PATENT DOCUMENTS

[illegible]

## FOREIGN PATENT DOCUMENTS

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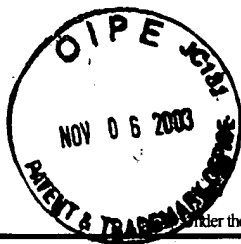
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Date  
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<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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STATEMENT BY APPLICANT**

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Sheet

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of

2

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Application Number	09/627,531
Filing Date	July 28, 2000
First Named Inventor	Berry et al.
Group Art Unit	1615
Examiner Name	B. Fubara
Attorney Docket Number	3139-6169 IUS (ARC 2914 IUS C1)

**OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS**

Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		U.S. Patent Application Serial No. 08/595,761 entitled "Sustained Delivery of an Active Agent Using an Implantable System."	

Examiner  
SignatureDate  
Considered

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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